

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

United States District Court
Southern District of Texas
FILED

JAN 23 2019

for the

SOUTHERN DISTRICT OF TEXAS

United States of America
v.

David J. Bradley, Clerk

Case No. M-19-0147-M

Jose Margarito Gonzalez (YOB: 1998) USC

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 1/22/2019 in the county of Hidalgo in the
SOUTHERN District of TEXAS, the defendant(s) violated:

Code Section

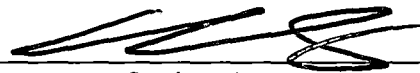
Offense Description

21 USC 841(a)(1)

Knowingly and intentionally possess
with intent to distribute
approximately 101.50 kilograms of
marijuana, a Schedule I controlled
substance.

This criminal complaint is based on these facts:

See attachment A. Continued on the attached sheet.

Approved AUSA LAURA GARCIA
L. Garcia

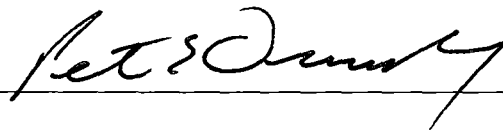
Complainant's signature

Graciano Gamino, DEA TFO

Printed name and title

Sworn to before me and signed in my presence.

Date:

January 23, 2019City and state: McAllen, Texas

Peter E. Ormsby, Magistrate Judge

Printed name and title

ATTACHMENT A

The information contained in this affidavit is information based on the personal knowledge of the Affiant and other law enforcement officials assigned to this investigation.

On Tuesday, January 22, 2019 at approximately, 6:00 AM, a RGV Special Operations Detachment (SOD) United States Border Patrol Agents (USBPA) were working an operation in the Los Ebanos, Texas, area.

USBPA Reymundo Curiel Jr., observed a raft and several subjects crossing the Rio Grande River, from the Mexican side, onto the United States river bank area. USBPA Curiel radioed in as he observed the raft containing to what appeared to be large bundles of suspected narcotics. Additional USBP Agents responded to the area. USBPA Curiel observed the raft make it unto the United States side of the river bank. Four subjects were then seen unloading four bundles of the suspected narcotics from the raft, and into a dark in color passenger car. The dark in color passenger car, was observed traveling northbound. USBPA Benito Maldonado attempted to conduct a traffic stop on the said vehicle, while in a marked USBP unit, but the driver of the vehicle refused to stop. A vehicle pursuit ensued from Expressway 83 and El Faro Road in Sullivan City, Texas. USBP Agents kept visual of the dark in color passenger car, which was later identified as a black 2000 Pontiac Grand AM, displaying North Dakota License Plates (294-BXZ). The said vehicle was seen turn eastbound on FM 107 from Jara Chinas Road. Air Operations Omaha assisted with tracking the vehicle during the vehicle pursuit. The vehicle came to a stop, south of FM 107, in the Pueblo de Palmas area (subdivision). The driver of the vehicle bailed out, and subsequently, the driver was found underneath a mobile home, identified as 17415 El Conejo Drive in Penitas, Texas. The driver was identified as GONZALEZ, Jose Margarito (DOB: 11/14/1998). USBP Agents, located four bundles of the suspected narcotics, inside the black Pontiac Grand AM. GONZALEZ, along with the narcotics, were transported to the McAllen Border Patrol Station.

Once at McAllen Border Patrol Station, the contents were field tested utilizing the NarcoPouch, 908 Duquenois-Levine Reagent test kit and tested positive for the characteristics of marijuana. The four bundles weighed approximately 101.5 kilograms.

On the same date, Drug Enforcement Administration (DEA) TFO's Graciano Gamino Jr., and Angelita Perez responded to the McAllen Border Patrol Station, and made with GONZALEZ. TFO Gamino read GONZALEZ his Miranda Warnings, as witnessed by TFO Perez. GONZALEZ stated he understood his rights and agreed to speak with the agents without an attorney present. GONZALEZ admitted to transporting marijuana bundles, which were loaded up in the vehicle he was operating. GONZALEZ further admitted that he did not want to stop as the USBP Unit attempted to pull him over. GONZALEZ was fully aware that he was transporting the marijuana bundles and he takes full responsibility for his actions.